IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 20745 of 2002

Between:

1 Sk. Zaheera Bee, W/o Abdul Rahman,
R/o Palvoncha, Khammam Dist.
2 Sk. Shareef, S/o Abdul Rahman,
R/o Palvoncha, Khammam Dist.
3 Sk. Shannu, W/o Shareef,
R/o Palvoncha, Khammam Dist.
4 Sk. Gousia, D/o Abdul Rahman,
R/o Palvoncha, Khammam.
5 Sk. Noorjahan, D/o Abdul Rahman,
R/o Palvoncha, Khammam Dist.
6 Sk. Jaffar, S/o Abdul Rahman,
R/o Palvoncha, Khammam Dist.

..... PETITIONERS

AND

1 Superintendent of Police
Karimnagar Dist.
2 Station House Officer
I Town Police Station, Godavarikhani.
Karimnagar Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus direct the Respondent No.2 to return the Rs.50/- bond paper on which the signatures of the petitioners No.1,2,6 & 4 & all the documents obtained from the petitioners in this family dispute and not to obtain any further signatures and pass such other order or orders as this Hon'ble Court may deem fit and proper in the

circumstances of the case.

Counsel for the Petitioner:MR.P.N.NALINI KANTH

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORDER:

The petitioners invoke the jurisdiction of this Court under Article 226 of the Constitution of India seeking a writ of Mandamus directing the second respondent to return Rs.50/- bond paper on which the signatures of the petitioner Nos.1, 2, 4 and 6 were allegedly obtained and all other documents obtained from them.

The second respondent filed a counter affidavit stating that the wife of the sixth petitioner, Smt.Zulekha Begum, lodged a compliant with the second respondent on 15.07.2002 against her husband and other family members. The same was registered in Crime No.187 of 2002 under Sections 498-A of the Indian Penal Code, 1860 and Section 4 of the Dowry Prohibition Act, 1961. Investigation into the crime was taken out. The sixth petitioner herein, who is accused No.1 in the said crime, was arrested and produced before the Court of the Judicial Magistrate of First Class, Peddpalli. He was remanded to judicial custody and the other accused are absconding till today. The allegation that the second respondent took the petitioners to the Police Station and obtained Rs.50/- bond paper is denied. It is also alleged that so as to escape arrest in connection with Crime No.187 of 2002, the petitioners approached this Court without disclosing the correct facts.

Though counter affidavit is filed on 29.10.2002, the petitioners have not chosen to file reply affidavit denying the allegations made in the counter affidavit. In view of the unrebutted counter averments, it becomes clear that the petitioners approached this Court by making imaginary allegations without regard to the truth. Therefore, they are not entitled to any relief.

The writ petition is therefore dismissed. No costs.

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(V.V.S.RAO, J)

23.06.2005

vs

To

1 The Superintendent of Police,
Karimnagar Dist.
2 The Station House Officer
I Town Police Station, Godavarikhani.
Karimnagar Dist.

3 Two CCs to the G.P for Home, High Court of A.P., Hyderabad(O.U.T)

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